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1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

-----x

3 UNITED STATES OF AMERICA,

4 v.

17 CR 684 (ER)

5 EMANUEL RICHARDSON,

6 Defendant.

7 -----x

8 New York, N.Y.

9 June 6, 2019

11:02 a.m.

10 Before:

11 HON. EDGARDO RAMOS

12 District Judge

13 APPEARANCES

14 GEOFFREY S. BERMAN

15 United States Attorney for the

16 Southern District of New York

17 NOAH D. SOLOWIEJCZYK

18 ROBERT L. BOONE

ELI J. MARK

Assistant United States Attorneys

19 MORDOCK BARBER LLC

Attorney for Defendant

20 CRAIG J. MORDOCK

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(Case called)

MR. SOLOWIEJCZYK: Good morning, your Honor.

Noah Solowiejczyk, Robert Boone and Eli Mark for the government.

THE COURT: Good morning.

MR. MORDOCK: Good morning, your Honor.

Craig Mordock on behalf of Emanuel Book Richardson. Mr. Richardson is present in the court.

THE COURT: Good morning to you both.

This matter is on for sentencing and in preparation for today's proceedings I have reviewed the following. I have reviewed the presentence report last revised on April 12, 2019 prepared by U.S. probation officer Stephanie McMahon which includes a recommendation.

I've also reviewed the sentencing letters submitted by Mr. Moore filed May 20, 2019 which includes letters by several of Mr. Richardson's friends.

And I have reviewed the government's submission dated May 31, 2019 which includes the victim-impact statement submitted by the general counsel of the University of Arizona.

Is there anything else that I should have received or reviewed?

Mr. Solowiejczyk.

MR. SOLOWIEJCZYK: Not from the government. I believe Mr. Mordock has one additional letter.

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1 THE COURT: OK. Mr. Mordock.

2 MR. MORDOCK: Your Honor, I have one letter from  
3 Mr. Richardson's wife. I'd like the Court to review it in  
4 consideration of sentence.

5 THE COURT: Absolutely.

6 Has the government already seen it?

7 MR. MORDOCK: Yes, your Honor.

8 (Pause)

9 MR. SOLOWIEJCZYK: Your Honor, there is one matter we  
10 wanted to take up before the sentencing began in earnest. In  
11 reviewing the transcript of the plea proceedings in preparation  
12 for sentencing -- I have discussed this with Mr. Mordock -- we  
13 do believe that there was at least one aspect of the allocution  
14 that was lacking and I believe Mr. Richardson is prepared to  
15 make a brief additional statement at this time.

16 THE COURT: Very well.

17 Mr. Mordock.

18 MR. MORDOCK: Yes, your Honor.

19 Mr. Richardson is prepared to make a statement just to  
20 clarify what was in the allocution. I believe he may have,  
21 while he was reading, forgot a sentence. And he's prepared to  
22 do that today in terms of stating the facts under 18 U.S.C.  
23 666.

24 THE COURT: OK. Is he just going to read that one  
25 sentence?

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1 MR. MORDOCK: However the Court -- I don't know how  
2 the Court would need it for the transcript.

3 THE COURT: How long is the entire statement?

4 MR. MORDOCK: It was just really a line that needs to  
5 be corrected, your Honor.

6 THE COURT: Well I mean just so that I understand  
7 what's missing, what is --

8 MR. MORDOCK: Go ahead.

9 MR. SOLOWIEJCZYK: I can give some context if that's  
10 helpful.

11 THE COURT: Please.

12 MR. SOLOWIEJCZYK: Mr. Richardson in his prior  
13 allocution, which I'm happy to provide a copy to the Court, he  
14 talked about setting up meetings for Mr. Dawkins. He talked  
15 about -- but he didn't really talk about the fact that he was  
16 receiving money in exchange for doing that. That was the thing  
17 that was missing. That was the statement that Mr. Richardson  
18 was going to make here today.

19 THE COURT: Very well.

20 Mr. Richardson.

21 THE DEFENDANT: Good morning, your Honor. Just wanted  
22 to let the Court -- let the government know I accepted money  
23 for arranging meetings with student athletes.

24 THE COURT: OK. Mr. Solowiejczyk do you wish me to  
25 make any further inquiry?

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1 MR. SOLOWIEJCZYK: Who he set the meetings up for.

2 THE COURT: For whom did you set up the meetings,  
3 Mr. Richardson?

4 THE DEFENDANT: With student athletes.

5 THE COURT: For whom? At whose behest?

6 THE DEFENDANT: Excuse me. I set up meetings with  
7 student athletes for Christian Dawkins.

8 MR. SOLOWIEJCZYK: We're satisfied, your Honor.

9 THE COURT: Very well.

10 Thank you, Mr. Richardson.

11 Mr. Mordock have you read the presentence report and  
12 discussed it with your client?

13 MR. MORDOCK: I have, your Honor.

14 THE COURT: Mr. Richardson, have you received a copy  
15 of the presentence report and discussed it with your attorney?

16 THE DEFENDANT: Yes, I have, your Honor.

17 THE COURT: Are there any objections to the report  
18 regarding its factual accuracy?

19 MR. MORDOCK: No, your Honor.

20 THE COURT: Very well. Although I am not required to  
21 impose a sentence within the applicable guidelines range, I am  
22 required to consider the range in imposing sentence and,  
23 accordingly, I need to do the calculation.

24 Mr. Richardson pleaded guilty to Count One of the  
25 indictment which charges him with conspiracy to commit bribery

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1 in violation of 18 U.S.C. Section 371. That offense carries a  
2 base offense level of 12, to which two levels are added because  
3 Mr. Richardson received more than one bribe, and an additional  
4 four levels are added because the approximate total of the  
5 bribes that he received was \$20,000. Three levels are deducted  
6 for Mr. Richardson's acceptance of responsibility, yielding a  
7 total offense level of 15.

8 Because Mr. Richardson has no prior convictions he is  
9 in criminal history category I.

10 Are there any objections to that calculation,  
11 Mr. Solowiejczyk?

12 MR. SOLOWIEJCZYK: No, your Honor.

13 THE COURT: Mr. Mordock?

14 MR. MORDOCK: No, your Honor.

15 THE COURT: Very well. Based on the parties'  
16 representations that they agree with the calculation, the same  
17 calculation that's set forth in the presentence report, I  
18 accept the calculation in the presentence report and find that  
19 Mr. Richardson is in criminal history category I and that the  
20 total offense level is 15, yielding a guidelines range of 18 to  
21 24 months.

22 Mr. Solowiejczyk, does the government wish to be heard  
23 before the imposition of sentence?

24 MR. SOLOWIEJCZYK: Briefly, your Honor.

25 I'm not going to go over everything that was in our

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1 papers. Just very briefly. I think your Honor is aware that  
2 this conduct was serious and had serious consequences for  
3 Mr. Richardson's university, the University of Arizona. Those  
4 consequences included some things that have already happened,  
5 some things that are still to come. The things that have  
6 already happened included student athletes de-committing from  
7 the university, harm to the reputation to the school. What's  
8 still to come and is, in the University of Arizona's  
9 victim-impact statement, is the NCAA has now begun an  
10 investigation in earnest and it's very likely there will  
11 ultimately be penalties and sanctions imposed on the  
12 university. That's one aspect of the harm that was caused  
13 here.

14 THE COURT: Do you know that for a fact that the NCAA  
15 has, in fact, commenced an investigation of the University of  
16 Arizona?

17 MR. SOLOWIEJCZYK: Based on the letter from the  
18 University of Arizona that's our understanding, your Honor.

19 THE COURT: OK.

20 MR. SOLOWIEJCZYK: The conduct here, though, is  
21 serious in another respect and that is there are really two  
22 ways that the student athletes were impacted by what  
23 Mr. Richardson did. The first is -- I don't think this can be  
24 overstated. What Mr. Richardson was ultimately agreeing to do  
25 was take money secretly and in exchange for that steer the

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1 student athletes that trusted him, that he had influence over,  
2 to sign with Christian Dawkins and his new company. The  
3 student athletes did not know Mr. Richardson was taking money  
4 for that purpose. And the reality is Mr. Richardson wasn't  
5 recommending Mr. Dawkins because this was what was in the best  
6 interests of these kids; it's because he was taking secret  
7 bribes. And that's really, at the end of the day, significant  
8 conduct that took advantage of student athletes. And  
9 Mr. Richardson, his job was actually to look after them. He  
10 was doing the opposite here.

11 The other thing I would note, and we noted this in our  
12 submission. Mr. Richardson has taken the position in his  
13 sentencing submission that even though he said that a lot of  
14 this money was going to go to the families and handlers of  
15 student athletes, that really he kept the money for himself.  
16 And in some ways that makes Mr. Richardson's conduct more  
17 egregious because it means he was willing to basically use the  
18 kids that he was coaching as assets in order to try to profit  
19 for himself unbeknownst to these student athletes.

20 And from the standpoint of what kind of risk were the  
21 student athletes put at, well, you know, a coach saying I'm  
22 giving money to the family of a student athlete, the mere fact  
23 the coach is saying that puts these student athletes in  
24 jeopardy with respect to their eligibility. I do think that  
25 that's a serious aspect of the conduct here.



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1           A couple other factors that your Honor may want to  
2 consider. These are things that in some ways separate  
3 Mr. Richardson from perhaps some of the other coaches that your  
4 Honor is going to be sentencing or has sentenced.

5           Mr. Richardson had an agreement with Dawkins and his  
6 new company to receive \$5,000 a month. And this was an ongoing  
7 agreement. The only reason he didn't continue to receive that  
8 money is because he was arrested in September 2017. After he  
9 received the first five thousand dollar payment in late  
10 June 2017, Mr. Richardson initiated the next payment. Very  
11 soon after he came back to Dawkins and said I need another  
12 \$15,000 lump sum payment because I need to use it to recruit a  
13 student athlete to attend Arizona. It was Richardson  
14 initiating that and that's an important distinction in the  
15 government's mind.

16           To get that money, Mr. Richardson traveled to  
17 New Jersey to the offices of Munish Sood to pick up the money.  
18 They didn't come to him. He went to them. As your Honor saw  
19 during the trial, there are numerous conversations where  
20 Mr. Richardson talked about the ways in which he was going to  
21 steer and influence the players that he coached to sign with  
22 Dawkins and his new company.

23           The last thing I would say, your Honor, is  
24 Mr. Richardson -- it wasn't all talk. Later on in August  
25 Dawkins, Sood and an FBI undercover agent went to Arizona, met

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1 with Richardson, and then, as facilitated by Richardson, met  
2 with the cousin of a current student athlete on the Arizona  
3 basketball team. And when the FBI undercover said to  
4 Mr. Richardson, in some and substance, thank you -- thank you  
5 for setting up the meeting; he said in response to that, I did  
6 my job.

7 And, your Honor, that says a lot about the nature of  
8 the quid pro quo relationship here. During the meeting with  
9 the cousin, the handler, in sum and substance, that cousin  
10 indicated that Mr. Richardson had recommended Dawkins and his  
11 company to the Arizona player. So there was real action taken  
12 as a result of this money at the end of the day.

13 When you take that in its totality, it's a serious  
14 course of conduct.

15 The government is happy to address other relevant  
16 sentencing factors including general deterrence but I think  
17 something your Honor really does need to take into account in  
18 fashioning an appropriate sentence is the various ways that --  
19 this wasn't one mistake. This wasn't one bad decision. This  
20 was multiple times and multiple occasions Richardson  
21 consciously deciding for his own greed and his own personal  
22 profit to continue down this course.

23 THE COURT: When the does the government believe that  
24 Mr. Richardson first had contact with the coconspirators here?

25 MR. SOLOWIEJCZYK: He had known Mr. Dawkins for quite

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1 some time, probably for a period of years, is the government's  
2 understanding. His first contact with Munish Sood was in  
3 around March 2017 in Las Vegas. They had an initial meeting  
4 that was set up by Dawkins. Then they spoke by phone again.

5 But the contact in terms of Richardson starting to  
6 agree to work with Dawkins and his new company really starts  
7 probably around April 2017 -- May 2017 and on, I would say,  
8 your Honor.

9 THE COURT: Thank you.

10 Mr. Mordock, is there anything that you wanted to say?

11 MR. MORDOCK: Your Honor, yes.

12 Mr. Richardson sits here today, and after I'm done  
13 he's going to get up and express remorse and regret. He's  
14 expressed remorse and regret throughout this entire process to  
15 me, to his family, to the Court when he pled guilty in January.  
16 He's going to do so again today.

17 That he has taken responsibility for his actions and  
18 in this matter he has wound up losing everything. He has not  
19 had a job since January of 2018 other than training athletes  
20 this spring and young athletes, ages 7 to 14, so not  
21 college-age players. And he was doing that for 40, 50 dollars  
22 an hour.

23 He is the public face of this scandal. He is the  
24 highest profile assistant coach at the highest profile school.  
25 Any time this scandal is addressed, Mr. Richardson's picture is

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1 on the front page of the paper or the internet website that  
2 that runs the story.

3 Mr. Richardson has a story. His own personal story  
4 begins long before the actions and events of 2017. His story  
5 is truly a rags to riches back to rags story in this case in a  
6 professional sense, your Honor. Not a monetary sense. He grew  
7 up in the city. He was the product of a single mother who did  
8 not necessarily have the right set of skills to raise him and  
9 provide stability. He spent his high school years sleeping on  
10 couches of friends and relatives while there was crime going  
11 on, violent crime going on outside.

12 He gravitated to basketball to provide that stability.  
13 He took advantage -- basketball provided him with opportunities  
14 in life that were not going to be present for other people in  
15 his peer group. He took advantage of those opportunities and  
16 earned a business degree from Pitt-Johnstown. He worked in  
17 banking for two years and decided his real passion in life was  
18 coaching and his real passion in life was helping young kids.  
19 He quit his job in banking and started working as a substitute  
20 teacher in New York City and coaching youth basketball, 7<sup>th</sup>  
21 and 8th graders. This was an entry level job. He didn't do it  
22 for the money. He did it because he loved the sport of  
23 basketball, because he was good at the sport of basketball and  
24 he had something to share; that he continues today with the  
25 youth who are gravitating to the sport of basketball. He is

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1 providing himself as a father figure to youths that may or may  
2 not have that in their life.

3 Judge, he wound up getting a job in amateur basketball  
4 coaching a summer program called the Gauchos. He had three or  
5 four Division I prospects who he had mentored and coached and  
6 got them from somewhat difficult backgrounds to Division I  
7 basketball and to earn a scholarship and eventually some of  
8 them in the NBA.

9 He took an opportunity to coach at Xavier University  
10 in Cincinnati. He went -- this was his first foray into  
11 college athletics. He went there as an assistant coach. And  
12 after two years there and some success there he went to the  
13 University of Arizona.

14 University of Arizona, by all counts, is probably one  
15 of the top basketball schools or top five basketball schools in  
16 the country. They had a very good level of success.

17 Mr. Richardson, while being the highest profile coach  
18 in this conspiracy, he also was the lowest paid coach in this  
19 conspiracy. And that factor and those pressures -- and I know  
20 your Honor has read the impact statement from the University of  
21 Arizona. That's what has led to him being involved in this  
22 situation.

23 He was experiencing tremendous financial pressure in  
24 the spring of 2017. And I do want -- I do think it should be  
25 made clear that the -- this conspiracy started with a man named

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1 Marty Blazer, who I know your Honor heard from during the  
2 testimony, who stole \$2 million from clients. And he's looking  
3 for leniency. And he creates this conspiracy.

4 Christian Dawkins -- Christian Dawkins on behalf of  
5 Marty Blazer and the government approaches Mr. Richardson.  
6 Mr. Richardson was not out there soliciting money. OK. And I  
7 know your Honor has heard the conversations. Christian Dawkins  
8 was coaching Mr. Richardson on what to say. Mr. Richardson was  
9 offering Christian Dawkins an opportunity and Christian said  
10 no, I don't need the money, you keep it, take your wife  
11 shopping. And I think this is really important as well. And  
12 this goes to show you Mr. Richardson's regret and remorse in  
13 this scandal.

14 He never did give the money to the players. And I  
15 realize there are two sides of the same coin. But  
16 Mr. Richardson's thought process was he did not want to  
17 endanger their eligibility. He did not want to risk this.

18 And how do we know that these players didn't get the  
19 money? Well the University of Arizona says so. They conducted  
20 an investigation. The player that was mentioned played the  
21 entire 2017, 2018 season for the University of Arizona. They  
22 would not risk his eligibility or their season if they thought  
23 he had received the money.

24 The other player went to the university -- went to  
25 Villanova University. Villanova University, by all counts,

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1 runs a squeaky clean program. They've won two national  
2 championships in the last three years. And, Judge,  
3 Mr. Richardson and myself helped Villanova University ascertain  
4 the facts and circumstances of what happened. He was trying to  
5 make this right. And he made it clear to the University of  
6 Villanova that he did not give Mr. Quinerly or Mr. Quinerly's  
7 family any money. Mr. Cornily played basketball this season  
8 for the University of Villanova. He was eligible. He played  
9 the entire 2018/2019 season. I can assure the Court that if  
10 there was any risk of him being ineligible, them forfeiting  
11 games, he would not have been on the court for them.

12 THE COURT: It's fortunate that they were not -- that  
13 they were eligible to play. But are you suggesting that  
14 Mr. Richardson kept the bribe money in order to protect the  
15 players?

16 MR. MORDOCK: I'm suggesting that he had some regret  
17 and remorse even at that point in the scandal for being  
18 involved in this, that he was trying to lookout for -- he was  
19 trying to lookout for his players while also enriching himself.

20 THE COURT: OK.

21 MR. MORDOCK: Judge, so that addresses  
22 Mr. Richardson's role in the offense. And I guess what I would  
23 talk to you a little bit about, in consideration of the 3553  
24 factors as well, is the sentencing disparities among similarly  
25 situated defendants. And, Judge, the prosecution has pointed

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1 out that Merl Code may, in fact, be less culpable than  
2 Mr. Richardson. Well Mr. Code's sentencing range was I believe  
3 24 to 30 months, less than Mr. Richardson's range. Mr. Code  
4 has never expressed any regret, remorse, has never admitted  
5 responsibility. He's gone to trial twice on this. And Judge  
6 Kaplan decided to sentence him to six months incarceration. So  
7 in this case the government's position is that Mr. Richardson,  
8 even though he accepted responsibility, now should do three  
9 times the amount of time that a defendant who did not accept  
10 responsibility took.

11 The other thing with similarly situated defendants.  
12 As your Honor knows, Mr. Bland was here yesterday. Your Honor  
13 sentenced him to probation.

14 Mr. Richardson and Mr. Bland have very similar life  
15 stories. They grew up without fathers. They got to the  
16 highest points of their profession. They made a mistake and  
17 they are paying the price for it. They will never work in  
18 basketball again. And they are regretful. And Mr. Richardson  
19 shares the same remorse and regret that Mr. Bland does.

20 Now Mr. Bland's sentencing guideline was lower because  
21 the amount of loss was only \$4,000. As your Honor knows in the  
22 sentencing guidelines the amount of loss is very compressed at  
23 the bottom. So a ten thousand dollar difference means that  
24 Mr. Richardson may be looking at 18 to 24 months where, you  
25 know, if had been involved in a scandal that had five hundred



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1 thousand or a million dollars, there would be no difference in  
2 the sentence. So that's what pushes this up and that's what  
3 pushes the guideline. And we feel it makes it more -- it makes  
4 it greater than -- the sentence is greater than necessary under  
5 the guidelines.

6 And I'll just address specific deterrence.

7 Judge, Mr. Richardson is never going to work in  
8 basketball again. Mr. Richardson is very conscious to not be  
9 around college athletes. He is working with younger youth  
10 players, 7 to 14 years old. He is trying to rebuild his life.  
11 And he is always going to have this stain with him.

12 In terms of general deterrence, your Honor. Prior to  
13 September of 2017 I don't believe anybody working in college  
14 basketball or amateur sports for that matter believed that an  
15 NCAA violation would lead to a federal criminal prosecution.  
16 If you committed an NCAA violation, no one believed that they  
17 were committing a violation of federal law. I think after that  
18 and after the publicity of this case everyone is on notice that  
19 now if you do so you could be subject to federal prosecution.

20 Putting Mr. Richardson in jail or giving him a  
21 sentence of incarceration, that is greater than necessary to  
22 promote general deterrence. Just the fact that he's been  
23 through this process and he has lost everything provides a  
24 story and a warning sign to the people who work in college  
25 athletics that an NCAA violation, depending on severity, could

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1 lead to a federal prosecution.

2 At this point, your Honor, we would suggest to the  
3 Court that based on the 3553 factors and applying them to these  
4 facts a sentence of probation is sufficient but not greater  
5 than necessary to fulfill the aims of that statute. Thank you.

6 I believe Mr. Richardson would like to address the  
7 Court.

8 THE COURT: Mr. Richardson you have an absolute right  
9 to address the Court. Is there anything that you wanted me to  
10 know?

11 THE DEFENDANT: I'm sorry, your Honor. I didn't hear  
12 you.

13 THE COURT: Is there anything that you wanted me to  
14 know?

15 THE DEFENDANT: Yes. Your Honor, as I stand here in  
16 front of you today -- I initially wrote some notes down because  
17 it meant a lot to me but I'm not going to go through my notes.  
18 I'm going to speak from my heart. I'm here asking for  
19 forgiveness and leniency.

20 I want to address the Court and I want to apologize to  
21 some very important people in my life, my wife who is here with  
22 me. I want to express deep sorrow and apologize for the  
23 actions that I made, for the decisions -- the decision I made  
24 in 2017. There is no excuse for anything that was done and I  
25 take full ownership. I take full responsibility. My friends

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1 who I'm -- again, who have come to show support. Your Honor,  
2 I'm from New York City. I've lived in every borough except  
3 Staten Island. I've been to five elementary schools. My  
4 mother had me at fifteen years old. Again, that makes no  
5 excuse. I have no rhyme or reason for the decision that was  
6 made. I made it.

7 Your Honor, again, as I express sorrow and I try my  
8 best to show respect to this Court, there were three components  
9 that's gotten me through this. Pretrial service has been  
10 tremendous for me in the State of Arizona dealing with mental  
11 health, addressing situations that I've dealt with for a very  
12 long time, for my 46 years of existence, trying to figure  
13 things out.

14 I'm sorry to any student athlete who I've humiliated,  
15 embarrassed -- humiliated, embarrassed and put through this. I  
16 apologize.

17 Your Honor, the second piece has been my former  
18 student athletes who have reached out to me, whether they call  
19 me uncle or they call me their dad, I feel like I've let them  
20 down. And that's been so many of them, for about 20 years, who  
21 have showed tremendous support, my former student athletes and  
22 my former teammates, who a couple are here with me.

23 And finally, my family. I would not have made it  
24 through these 20 months living in Tucson, Arizona without my  
25 family, without my wife being displaced, coming back to New

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1 York City to find a job to try to help us as best we possibly  
2 could; to empty out every single thing I've had in my 401K.

3 And I'd love to apologize to the University of Arizona  
4 and President Robbins; never meant to shame them, disrespect  
5 them, in the manner that I have.

6 And, again, wanting to make sure that I apologize to  
7 any student athlete who had been affected through this, through  
8 my decisions to do what was done and taking full responsibility  
9 and ownership and making sure that, as my counsel alluded to,  
10 the one thing in the world -- or one of the many things in the  
11 world that I love, I've had part in making sure that I will  
12 probably never coach college basketball again. But I'll always  
13 be a coach. I'll always be a mentor. And making a mistake,  
14 I'm not sure if there's anyone better served in the world who  
15 can express that mistake to anyone who would listen to deter  
16 them from doing anything that I did.

17 THE COURT: Thank you, Mr. Richardson.

18 In deciding what sentence to impose, in addition to  
19 the sentencing guidelines and the commentaries thereto, I have  
20 considered all of the factors set forth in Section 3553(a) of  
21 Title 18 of the United States Code including the nature and  
22 circumstances of the offense and Mr. Richardson's history and  
23 characteristics. I have determined the need for the sentence  
24 imposed to reflect the seriousness of the offense, to promote  
25 respect for the law, to provide a just punishment for the

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1 offense, to afford adequate deterrence to criminal conduct, and  
2 to protect the public from further crimes. I've considered the  
3 need to avoid unwarranted sentence disparities amongst  
4 similarly situated defendants.

5 Having considered all of these factors, it is my  
6 intention to impose a sentence of three months incarceration,  
7 followed by two years of supervised release. I will not impose  
8 a fine as I find that Mr. Richardson's current financial  
9 situation makes him unable to pay a fine.

10 I believe that this sentence is sufficient but not  
11 greater than necessary to comply with the purposes of  
12 sentencing set forth in Section 3553(a)(2) for the following  
13 reasons.

14 I begin, as I must, by noting that I do believe that  
15 this is a serious crime. It actually went beyond merely  
16 violating NCAA rules. It clearly violated the criminal statute  
17 that Mr. Richardson pleaded guilty to, including the additional  
18 facts that he put on the record today, and it was a crime that  
19 was committed by someone who, despite perhaps a difficult  
20 childhood, first of all, knew better because he is an educated  
21 man, an intelligent man, but a man who didn't need to do this.  
22 Mr. Richardson was able to live out his dream of coaching some  
23 of the finest athletes in the country, at one of the finest  
24 universities, in one of the finest basketball programs in the  
25 country. I have no doubt that there were financial

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1 difficulties that he was experiencing, although by all accounts  
2 he was earning certainly a living wage in Arizona and did not  
3 need to go this route, but go this route he did. He engaged in  
4 this activity not on a one-off. It wasn't a one-day decision.  
5 It wasn't a onetime only thing. It took place over several  
6 months. And as the government pointed out, at one point it was  
7 Mr. Richardson himself that initiated the payment of a bribe.

8 His conduct also had real victims. I do believe that  
9 the institution of the University of Arizona has been  
10 victimized by his conduct. The letter that was submitted by  
11 the general counsel talks about the loss of reputation of the  
12 institution that it had built up so carefully over many years.  
13 In fact, Mr. Richardson was part of that effort. It caused  
14 several student athletes to de-commit to the university. And,  
15 obviously, there are additional legal costs that they have to  
16 endure and now, in all likelihood, an NCAA investigation which  
17 may lead to some additional adverse consequences for the  
18 university.

19 More importantly, from the standpoint of the Court,  
20 the students -- the student athletes that Mr. Richardson  
21 coached and mentored I believe were also victimized. I reread  
22 some of the telephone calls involving Mr. Richardson in  
23 preparation for today's sentencing and he clearly, on any  
24 number of occasions, told Mr. Dawkins and Mr. Sood and the  
25 government cooperators or the government undercovers that he

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1 would, in fact, be delivering those students to Mr. Dawkins.  
2 And he took money for that. So he clearly put himself ahead of  
3 those students and their financial well-being in carrying out  
4 these acts. And the students, although they have not been  
5 determined to be ineligible, did carry the possibility of --  
6 they were exposed to the possibility that they would not be  
7 able to compete at the college level. Now, I don't know what  
8 that means necessarily in terms of their future ability to play  
9 in the NBA but that's a very real exposure to harm that  
10 Mr. Richardson put those students through.

11 I do not believe that specific deterrence is a major  
12 factor with respect to Mr. Richardson. I don't believe that I  
13 will ever see him again in this courtroom. I don't believe  
14 that he will reoffend, nor do I believe that he will violate  
15 the conditions of supervised release.

16 And I think that general deterrence is also not an  
17 overwhelming or not terribly weighty factor in connection with  
18 his sentence. As I indicated yesterday, the universe of  
19 individuals who engage -- who are college coaches is fairly  
20 limited. I think that this case certainly has gotten a lot of  
21 publicity and I think people have gotten the message both  
22 through these related prosecutions and the more recent Varsity  
23 Blues investigation being handled out of the District of  
24 Massachusetts, that people have become very well aware, if they  
25 weren't aware before, as to Mr. Mordock's point, that engaging

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1 in this type of activity and taking money corruptly in  
2 connection with the business of these institutions can result  
3 in very serious consequences.

4           However, I do not believe that -- I do believe that  
5 punishment in this case is important because of the very  
6 serious actions that Mr. Richardson engaged in. And that is  
7 why I do believe that some period of incarceration is  
8 necessary.

9           Mention was made of Mr. Bland and my sentence of him  
10 yesterday to probation. I do believe that these individuals,  
11 Mr. Richardson and Mr. Bland, are different in connection with  
12 their involvement and their levels of culpability in this case.  
13 And it's not just the fact that Mr. Bland took substantially  
14 less money than Mr. Richardson. It was Mr. Richardson's  
15 involvement and initiation of the receipt of bribes over a  
16 period of months.

17           However, I do not believe that a sentence certainly as  
18 much as the guidelines would require, which is 18 months at the  
19 bottom, is necessary. And because we already know what the  
20 sentence will be for certain of the codefendants in this case,  
21 namely Mr. Dawkins and Mr. Code, that -- and I do find that  
22 Mr. Richardson is less culpable than they. I do think that a  
23 sentence of three months is appropriate both for all the  
24 reasons that I just discussed and also because I read very  
25 carefully the letters that were submitted, the submissions by



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1 Mr. Mordock, and I have no doubt that the picture of  
2 Mr. Richardson that was provided to me by his friends is real.  
3 I do believe that he is by and large a very good person who has  
4 done a lot of good over the course of his life. I have no  
5 doubt that he has positively impacted the lives of dozens, if  
6 not hundreds, of young men over the course of his career and  
7 young men of color who, like him, perhaps had difficult  
8 childhoods and overcame a lot of adversity in order to be able  
9 to compete at that very high level. I'm sure that having  
10 someone like Mr. Richardson at the University of Arizona made  
11 it much, much easier for them to navigate being away from home  
12 and being in a college environment and being the center of a  
13 lot of attention including attention by individuals like  
14 Mr. Dawkins and Mr. Sood and the others. So, I have no doubt  
15 that Mr. Richardson played a very important, almost paternal,  
16 role in the lives of those individuals. So I do believe that  
17 some leniency -- that he merits a great deal of leniency  
18 because of the largely good life that he has led.

19 And so with that, does counsel know of any legal  
20 reason other than what has already been stated as to why I  
21 should not impose the sentences I've indicated?

22 Mr. Solowiejczyk.

23 MR. SOLOWIEJCZYK: Your Honor, we may have missed it  
24 but there was also forfeiture in the amount of \$20,000. You  
25 may have mentioned the \$100 special assessment.

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1 THE COURT: I have not but I will.

2 MR. SOLOWIEJCZYK: My apologies.

3 THE COURT: I'm not quite done.

4 MR. SOLOWIEJCZYK: No legal reason that sentence can't  
5 be imposed.

6 THE COURT: Very well. Mr. Mordock.

7 MR. MORDOCK: Your Honor, there is no legal reason the  
8 sentence can't be imposed.

9 THE COURT: Very well. In that event, it is the  
10 judgment of the Court that Mr. Richardson be sentenced to three  
11 months imprisonment on the one count of conviction.

12 The conditions of probation -- the standard conditions  
13 of probation one through twelve should apply as well as the  
14 following mandatory and special conditions.

15 The mandatory conditions are that you not commit  
16 another federal, state, or local crime;

17 That you not unlawfully possess a controlled  
18 substance; and that you should refrain from the use of a  
19 controlled substance and submit to one drug test within fifteen  
20 days of release and at least two drug tests thereafter as  
21 determined by probation.

22 The special conditions are that you not incur new  
23 credit charges or open additional lines of credit without the  
24 approval of the probation officer unless you are in compliance  
25 with the installment payment schedule. And you must provide

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1 the probation officer with access to any requested financial  
2 information.

3 I will not impose the special condition that the  
4 probation recommends concerning search of your residence.

5 And if you do live outside of the district it is  
6 recommended that you be supervised by the district of  
7 residence.

8 You are ordered to pay the mandatory special  
9 assessment of \$100 which shall be due immediately.

10 As I indicated, I will not impose a fine as I find  
11 that Mr. Richardson is not able to pay a fine. And that you  
12 are ordered to forfeit \$20,000 to the government as I believe  
13 you have already agreed to do.

14 Are there any open counts concerning Mr. Richardson?

15 MR. SOLOWIEJCZYK: Yes, your Honor. The government  
16 would move to dismiss all open counts at this time.

17 THE COURT: That application is granted.

18 That constitutes the sentence of the Court.

19 Mr. Richardson, I believe that I sentenced you below  
20 the stipulated guideline range. In your agreement with the  
21 government that means as a practical matter that your appellate  
22 rights are severely restricted.

23 However, Mr. Mordock, will you assure me that you will  
24 promptly and thoroughly discuss with Mr. Richardson his  
25 appellate rights and the effect of the plea agreement on his

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1 appellate rights?

2 MR. MORDOCK: I will your Honor.

3 THE COURT: Mr. Mordock, do you have any other  
4 applications?

5 MR. MORDOCK: No, your Honor.

6 THE COURT: In that event, we are adjourned. And  
7 Mr. Richardson, good luck to you, sir.

8 MR. MORDOCK: Thank you, Judge.

9 MR. SOLOWIEJCZYK: Your Honor, sorry. Did you want to  
10 set a surrender date at this time?

11 THE COURT: Six weeks?

12 MR. MORDOCK: Yes, your Honor. Six weeks is fine.

13 MR. SOLOWIEJCZYK: Can we have one moment, your Honor.

14 THE COURT: Sure.

15 (Counsel confer)

16 Mr. Mordock, one other thing. If he's not designated  
17 within six weeks you can make application to enlarge that so he  
18 can self-surrender.

19 MR. MORDOCK: Yes, your Honor.

20 THE COURT: Ms. Rivera.

21 THE DEPUTY CLERK: July 18, 2019.

22 THE COURT: Anything else?

23 MR. MORDOCK: That would be it.

24 THE COURT: We're adjourned.

25 (Adjourned)